

Lambda Letters Project

359 32591

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ENDA: A Test of Inclusiveness

Gaylender Library, Archives and Cultural Exchange Sacramento, CA

By Boyce Hinman, Administrator

Two questions need to be answered regarding the Employment Non-Discrimination Act (ENDA):

- Why was there a discrepancy between last month's newsletter article on ENDA and the sample letter that came with it?
- Why did Lambda Letters take the position that it did in that letter?

The difference between the article and the letter is my fault. Although our l/g/b/t legislative analyst, Hilary Cook, and I agreed upon the position of the sample letter and article when she wrote it, I changed the letter at the last minute upon realizing that its stance ran counter to previous decisions our board had made regarding the Project's position on ENDA. By that time it was unfortunately too late for us to change the article. In the future, we will do our best as a group to keep our explanatory articles in synch with the letters you receive!

ENDA has been introduced in every session of Congress since the early 1970s. Its purpose has always been to protect lesbians and gays from discrimination. For

Continued on page 7

Telephone Activism for July



Our Telephone Activism call this month is to support legislation that will allow the AIDS Drug Assistance Program to provide drugs sooner than before to people with HIV/AIDS.

Please call your representative at (800) 972-3524. (Be patient. It takes the switchboard awhile to answer.) When the Capitol switchboard operator answers, ask first to be connected to your representative's office. You will find the person's name on this month's people of color issue letter. When the receptionist in the representative's office answers the phone, say you would like to leave a message to the following effect: that you want her (or him) to support legislation that will allow the AIDS Drug Assistance Program to provide drugs soon after people are found to be HIV positive, rather than waiting until they get really sick. Studies indicate that this may prevent the onset of the serious symptoms of HIV infection and avoid heavy expenditures for the treatment costs of seriously ill people living with AIDS.

Also in This Issue:

Getting Domestic Partnership Insurance 3
Extending Medi-Cal Eligibility 3
Health Insurance to Cover Contraceptives 4
Affirmative Action Attacked Again 4
State Legislative Update, Part III 5, 6
Sacramento Drummer Fund Benefits LLP 8
LLP Volunteers Needed 8

Lambda Letters Progress Report

Letters Collected

May, 1997	8,010 letters
In all of 1997	18,867 letters

Dollars Spent

May, 1997	$737
In all of 1997	$7,550

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Statement of Purpose

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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Confidentiality

The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

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6212 Silverton Way, Carmichael, CA 95608.
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Lesbian/Gay/Bisexual/Transgender Issue

Making Domestic Partnership Insurance Available to Employers

By Bob Maxie

Many health insurance carriers in California currently do not offer plans to companies that would cover the unmarried partners of its employees. While more and more large corporations in the state are negotiating domestic partnership coverage under their policies, smaller firms do not have the bargaining leverage to gain access to this coverage. A.B. 1059 (Migden, D–San Francisco) would require health carriers to provide firms with health plans that offer coverage to unmarried partners, including same-sex partners. This bill does not require any employer to provide such insurance to its employees.

This bill has passed the Assembly and has also passed the Senate Insurance Committee. Because there is no identifiable fiscal effect on the state from this bill, it is anticipated that the bill will proceed to a vote on the Senate floor in mid- to late July.

Current law and public sentiment provide that no Californian should be discriminated against merely because of marital status or sexual orientation. However, such discrimination exists because many health insurance carriers will not offer employers plans that cover unmarried partners of their employees. This is particularly discriminatory towards same-sex couples, who cannot marry. Without mandating that any employer provide domestic partner benefits to its employees, Migden's bill would only require that health insurance companies make domestic partner coverage available to employees.

In 1984 the city of Berkeley became the first employer in the nation to offer domestic partnership benefits to its employees. Since then, over 500 employers (including cities, states, universities, and corporations) have adopted domestic partnership benefits for their employees. Experience now shows that the economic concerns raised by health insurance providers have proven to be unfounded. Predictions of higher costs for coverage of domestic partners and fears of fraudulent claims submitted by persons claiming to be in domestic partner relationships simply have not materialized. Please write to your state senator and urge an "aye" vote on A.B. 1059.

HIV/AIDS Issue

Extending Medi-Cal Eligibility

By Katharine Holland

Assemblywoman Carole Migden's (D–San Francisco) bill A.B. 1099 to extend Medi-Cal eligibility for people who are being treated for HIV has passed through the Assembly to the Senate. Your letters are needed to your state senators to ask for their support of the bill.

Although large numbers of people are seeing results with protease inhibitor drug therapies, in many cases these individuals are only strong enough to go back to work part-time. Often, they are not working enough hours to receive prescription and medical benefits, but they are earning too much to continue receiving Medi-Cal coverage of their medical expenses—or have to pay a "share of cost" based on their income.

A.B. 1099 will allow individuals to go back to work without a substantial portion of their income being absorbed by the share of cost requirement under Medi-Cal. Under this bill, individuals with HIV/AIDS who go back to work will be able to continue to receive Medi-Cal without paying share of cost on the first $1,500 in earning per month—and only 10 percent of earning between $1,500–2,500. This will only take place if their employer does not offer full health insurance coverage.

A.B. 1099 encourages people living with HIV/AIDS to re-enter the workforce, earn income, and pay state taxes. Please sign the enclosed letter to your state senators today.

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Women's Issue

Extending Health Insurance Coverage to Contraceptives

By Carla Leek

A.B. 160 (Hertzberg, D–Van Nuys) is the third attempt by California lawmakers to require that health insurance providers include coverage for FDA-approved contraceptive drugs. The bill is cosponsored by Planned Parenthood Affiliates of California (PPAC) and the California Chapter of the American College of Obstetricians and Gynecologists. In supporting the bill, PPAC cites a study by the Alan Guttmacher Institute that found that while 97 percent of all large health insurers cover prescription drugs, only 33 percent include oral contraceptives. As this month's sample letter mentions, contraceptives are the only prescription drugs regularly excluded by insurers.

The costs of unintended pregnancies far outweigh the cost of providing insurance coverage for contraceptives. Coverage should increase the number of women who have access to contraception, decrease the number of unintended pregnancies, and reduce the costs for prenatal care, labor and delivery, infant care, and abortions. The United States has the highest rates of unintended pregnancy and abortion in the industrialized world. Please sign the enclosed letter, urging your senator to support A.B. 160.

Silence is the virtue of fools.
— Francis Bacon (1561-1626)

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People of Color Issue

Affirmative Action Attacked Again

By Boyce Hinman

H.R. 1909 (Canady, R–FL) is a bill that would outlaw affirmative action in federal contracts or subcontracts, federal employment, or any other federally conducted program or activity. It also would forbid the government from requiring contractors to engage in affirmative action in their hiring or subcontracting. This bill is yet another attack on programs designed to ensure that all Americans, of whatever community, have real and equal access to all of the education and jobs for which they are qualified.

Affirmative action has previously been under attack in California and we already see the negative results of this attack. Last fall voters approved Proposition 209, which bans affirmative action in the University of California and in all branches of our state and local government. Also, last year the UC Board of Regents voted to end the university's affirmative action policy in both hiring and student admissions. After the elimination of affirmative action for student enrollment at the university's graduate schools, minority enrollment in those schools dropped dramatically.

For example, the number of blacks, Native Americans, and Latinos/as applying for the university's medical school fell by 22 percent. If this trend continues, it will have a tragic effect on the largely black and Latino—and largely low income—populations of California's inner cities. Most doctors willing to serve these populations come from those same ethnic groups. It has always been difficult to find doctors willing to work in such places as South Central Los Angeles or East Palo Alto. With a smaller pool of black and Latino doctors graduating from UC, it will become even more difficult.

Affirmative action has provided the means to an education and good jobs to help many people of color escape the poverty and hopelessness that is common in inner city communities. Stopping affirmative action simply reinforces the belief shared by many of them that life really is hopeless. That hopelessness contributes to crime, substance abuse, and the general deterioration of property and community health. Write to your member of Congress and say you oppose all attempts to end affirmative action.

State Legislative Update: Part III

Under the rules of the State Legislature, each bill had to be approved by its house of origin and sent to the other house of the Legislature no later than June 6th. For example, any bill first introduced in the Assembly, had to be approved by the Assembly and sent to the Senate no later than June 6th. Any bill failing to meet that deadline died. Here is a report on the status (as of late June) of the bills covered in our monthly news letter and sample letters as well as those covered in our frequent E-mail alerts. We have divided them into the four issue areas that we cover.

HIV/AIDS Issues

A.B. 29 (Villaraigosa, D–Los Angeles)
Purpose: To allow compassionate release of terminally ill prisoners.
LLP Position: Support.
Status: Passed the Assembly. Passed the Senate Public Safety Committee. Next stop Senate Appropriations Committee. No hearing date yet in that committee.

A.B. 818 (Martinez, D–Alhambra)
Purpose: To require doctors to offer voluntary HIV testing and counseling to patients aged 15–54.
LLP Position: Support.
Status: Passed the Assembly. Is in the Senate Health Committee. No hearing date set yet.

A.B. 1100 (Thomson, D–Fairfield)
Purpose: To require insurers to provide health insurance coverage for biologically based mental illnesses as fully as they provide coverage for other physical illnesses.
LLP Position: Support.
Status: Passed the Assembly. Scheduled for hearing in Insurance Committee, July 16th.

A.B. 1208 (Migden, D–San Francisco)
Purpose: To look at pain management, patient care issues around death and dying, physician-assisted suicide, abandonment of patients, and related issues.
LLP Position: Support.
Status: Passed the Assembly. To be heard in Senate Health Committee, July 2nd.

S.B. 535 (Vasconcellos, D–San Jose)
Purpose: Bill amended to authorize research only on the efficacy and safety of marijuana as a medicine.
LLP Position: Support.
Status: Passed the Senate. Scheduled for a July 15th hearing in the Assembly Higher Education Committee.

S.B. 885 (Watson, D–Los Angeles)
Purpose: To establish clean needle exchange pilot projects in four California cities.
LLP Position: Support.
Status: Passed Senate. In Assembly Health Committee. No hearing date yet.

L/G/B/T Issues

A.B. 53 (Murray, D–Culver City)
Purpose: To allow adoptions by lesbian or gay couples and other unmarried persons. It would overturn the Governor's policy on adoptions.
LLP Position: Support.
Status: Failed in Assembly.

A.B. 54 (Murray, D–Culver City)
Purpose: To establish a statewide system for registering domestic partnerships.
LLP Position: Support.
Status: Failed in Assembly.

A.B. 101 (Kuehl, D–Encino)
Purpose: To prohibit sexual orientation–based discrimination and harassment in public schools and colleges.
LLP Position: Support.
Status: Failed in Assembly.

A.B. 257 (Villaraigosa, D–Los Angeles)
Purpose: To add a ban on sexual orientation–based discrimination to the Fair Employment and Housing Act. Would ban such discrimination in employment, housing and public accommodations.
LLP Position: Support.
Status: Passed the Assembly. Is in Senate Rules Committee. No hearing date set yet.

A.B. 427 (Knox, D–Los Angeles)
Purpose: To provide domestic partner health care benefits for state employees.
LLP Position: Support.

Continued on page 6

Continued from page 5

Status: Did not get out of Assembly Public Employees Retirement and Social Security Committee. May be reconsidered in 1998.

A.B. 492 (Keeley, D–Santa Cruz)
Purpose: To expands the period for submitting a complaint of sexual orientation–based employment discrimination from the current 30-day limit up to one year.
LLP Position: Support.
Status: Failed in the Assembly.

A.B. 1059 (Migden, D–San Francisco)
Purpose: To require insurers to offer employers the option of offering domestic partner health benefits to their employees. Does not require employers to offer these benefits to their employees.
LLP Position: Support.
Status: Passed the Assembly. Set for hearing in Senate Insurance Committee, July 2nd.

People of Color Issues

A.B. 50 and A.B. 51 (Murray, D–Culver City)
Purpose: To increase penalties for hate-based arson of churches.
LLP Position: Support.
Status: A.B. 50 did not pass in the Assembly, but A.B. 51 did. It is scheduled for a July 15th hearing in the Senate Public Safety Committee.

A.B. 748 (Escutia, D–Huntington Park)
Purpose: To require that objective annual studies be done of the primary languages of limited English–proficient students and of their progress in learning English. Results of the study would be used to determine how to modify and improve the methods of teaching English to limited English–proficient students.
LLP Position: Support.
Status: Passed in the Assembly. Scheduled for a July 16th hearing in Senate Education Committee.

S.B. 6 (Alpert, D–San Diego)
Purpose: To relieve school districts of teaching core curriculum subjects in the primary languages of students with limited English skills.
LLP Position: Oppose.
Status: Passed by the Senate. Is in Assembly Education Committee. No hearing date set yet.

S.B. 34 (Vasconcellos D–San Jose)
Purpose: To provide medically necessary pregnancy services to low-income aliens who would qualify for Medi-Cal except for the fact that they do not meet the residency requirements for Medi-Cal.
LLP Position: Support.
Status: Failed in the Senate. Vasconcellos is trying to get the concept added to this year's budget bill.

Women's Issues

A.B. 45 (Murray, D–Culver City)
Purpose: To add a fiancé(e) or someone with whom a domestic abuser has had a dating relationship to the list of legally recognizable victims of domestic abuse.
LLP Position: Support.
Status: Passed in the Assembly. Set for a hearing in Senate Public Safety Committee on July 15th.

A.B. 200 (Kuehl, D–Encino)
Purpose: To create a rebuttable assumption that a convicted domestic abuser should not have custody of children. The burden of proof would be on the abuser.
LLP Position: Support.
Status: Passed the Assembly. Stalled in Senate Judiciary Committee. Senator Lockyer is supporting the view of some judges that it takes away too much judicial discretion. Sheila Kuehl is seeking a compromise.

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ENDA: A Test of Inclusiveness

Continued from page 1

several years, the transgendered community has urged that the bill be expanded to protect them also. However, the Human Rights Campaign (HRC), chief private sponsor of the bill, and the legislators who introduce the bill in Congress each year have steadfastly refused to do so.

In its July and October, 1995, meetings the Lambda Letters board of directors agreed to press for the addition of transgendered people to ENDA. The plan was to take small steps at first, to avoid damaging the bill. However, if those steps failed, more serious steps—possibly including outright opposition to the bill—were to be considered. This decision has not been made yet. In 1995 and 1996 your board chair and I sent a number of letters to the director of HRC. We got no response to those letters at all. In a series of phone calls to HRC, that organization still refused to change its position.

The transgendered community has been prominent in the fight for lesbian and gay rights for years. The Stonewall riots, which led to the modern gay rights movement, might never have occurred if the drag queens and other transgendered people hadn't had the guts to fight back that night. It would reflect poorly on lesbians and gays to turn their backs on the transgendered community.

Some say that including transgendered people would kill ENDA or greatly delay its final passage, because our legislators view transgendered people as too strange and would be afraid to vote for any bill that protects them. However, it's clear that ENDA will never be approved in a Senate led by Trent Lott or a House of Representatives led by Newt Gingrich. The main reason: *gays and lesbians* are too strange and repugnant to be protected by law. Any delay which may result from adding transgendered people will be small compared to the total time it takes to pass the bill.

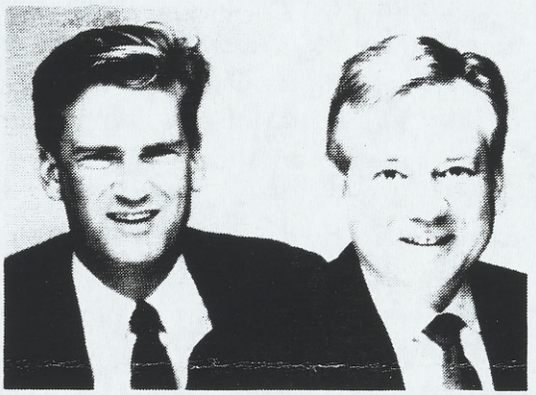
There is a basic issue at stake in these discussions about ENDA. Will we accept the principle that we have rights only if we earn them by looking and acting as straight and conservative as possible? Thomas Jefferson said that rights are unalienable: they are not available only to those who earn them by conforming to certain standards. I think it's important to stand up for the right to be different. That's why it's so important to support the rights of transgendered people. I hope you will agree with me and support the addition of transgendered people to ENDA.

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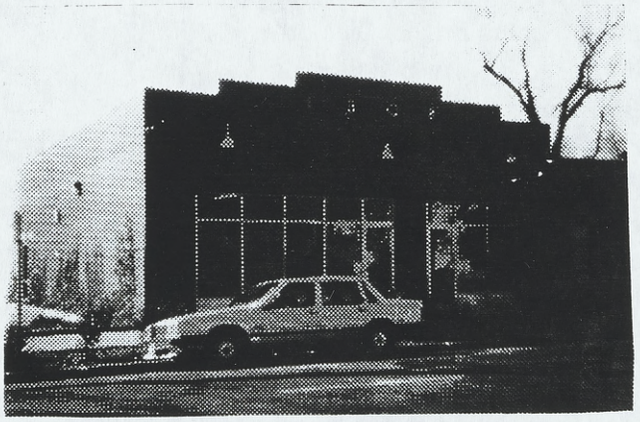


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Signature Gatherers Needed

A significant number of the signed letters we gather each month are collected by volunteer signature gathers from around the state. Typically, these volunteers bring copies of our letters to meetings of groups they already attend, such as PFLAG, NOW, etc. They invite people at the meetings to review the letters and sign the ones with which they agree.

Lambda Letters needs additional volunteers to do this work. Would you be willing to gather signatures on our letters? If so, we can provide you with a supply of letters each month. We can also send return-addressed, stamped envelopes for use in returning the signed letters to us.

Please let us know if you would be willing to gather signatures for us by enclosing a note when you return your own letters this month. Tell us how many copies of the letters you would like us to provide each month. We will take care of the rest.

Lambda Letters AIDS Analyst Needed

In September our HIV/AIDS analyst, Katharine Holland, will be returning to school to obtain a master's degree. As a result, she will be no longer able to serve as our HIV/AIDS legislative analyst. We will miss her upbeat spirit.

We need a volunteer with good writing skills who can spend about ten hours each month researching possible subjects and then composing monthly sample letters and articles on HIV/AIDS–related issues or legislation for our newsletter. If the volunteer lives in Sacramento, he or she would also attend a monthly, two- to three-hour staff meeting in which each month's subjects are chosen and other important business of the Project is accomplished. Staff meetings are usually held mid-month on a Sunday afternoon. As an alternative, a volunteer living elsewhere in California can join the meeting by telephone. We do need a California resident for this position, however.

Lambda Letters can provide leads on how to find suitable subjects and advice on writing, if needed. This is a great opportunity for you to influence the subjects we cover. Please consider volunteering for this important position, or help us find the person to do it.

If you're interested, please send us a note with your letters or call Boyce Hinman at (916) 965-6851, or send an e-mail message to LambdaLP@aol.com.

Sacramento Drummer Fund Benefits LLP

In early June the Sacramento Drummer Fund held its annual Mr. Drummer leather contest and fund-raiser. Michael Butler, coordinator of the contest, asked Lambda Letters to provide a judge for the evening. One of our members, Jeff Greer, and his partner, Art Katz, kindly agreed to act as judges. They reported having great fun at the event. Half the proceeds, $438, were donated to the Lambda Letters Project. The other half went to the Positive Gourmet, a great group that provides meals for people with AIDS.

This is the second year that the Sacramento Drummer Fund has donated to the Lambda Letters Project. We owe them a great debt of gratitude. Thanks also to Michael Butler, Jeff, and Art for helping to make the donation possible.

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WEAVE Funding Kept

The Sacramento County Board of Supervisors has voted to continue funding for Women Escaping a Violent Environment. WEAVE is a model organization that provides counseling and shelter for battered women and their children. With the budget on the chopping block, the Board of Supervisors listened to constituents and made the right decision. Let Supervisors Roger Dickinson, Illa Collin, Muriel Johnson, Dave Cox, and Don Nottoli know you appreciate their support of WEAVE by calling (916) 440-5411 or writing c/o Sacramento County Board of Supervisors, 700 H Street, Room 2450, Sacramento, CA 95814.

Thanking Disney

The Walt Disney Company is under attack from Southern Baptists and other conservative religious groups for allowing Ellen DeGeneres to come out of the closet on television, for providing domestic partner benefits to its lesbian and gay employees, and for having Gay Days at its theme parks. Drop Disney a note of thanks by writing to:

Michael Eisner, Chief Executive Officer
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500 South Buena Vista Street
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Or e-mail Walt Disney Pictures at: http://www.disney.com/mail.

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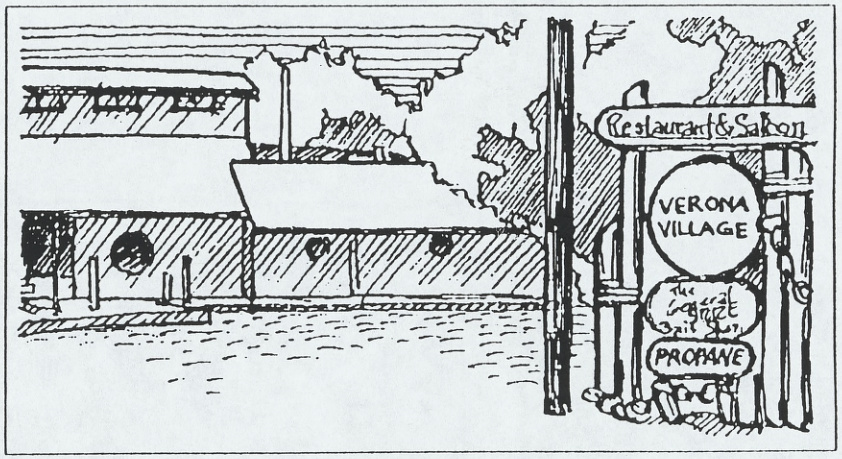
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